

MBV
LAW
LLP
855 FRONT STREET
SAN FRANCISCO CA 94111

1 DAVID J. BROWN (State Bar No. 56628)
2 MBV LAW LLP
3 855 Front Street
4 San Francisco, California 94111
5 Telephone: 415-781-4400
6 Facsimile: 415-989-5143
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8 Attorneys for Defendant
9 Tiberon Minerals, Ltd.
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 Trevor Moss,
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13 Plaintiff,
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15 v.
16 Tiberon Minerals, Ltd.,
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18 Defendant.
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Case No. C 07 2732 SC

**DECLARATION OF STEVEN J.
CRESSWELL IN SUPPORT OF
MOTION TO DISMISS FOR FORUM
NON CONVENIENS**

Date: October 26, 2007
Time: 10:00 a.m.
Dept.: Courtroom 1, 17th Floor
Judge: Hon. Samuel Conti

I, Steven J. Cresswell, declare:

1. I have been with Tiberon Minerals, Ltd. ("Tiberon") and its recent successor-in-interest since 2003. I am familiar with the Company and with Nui Phao Mining Joint Venture Company, Ltd. which has been managed by Tiberon. My positions have been Controller and more recently Finance Director. My involvement in the Company together with my review of some of its official records, e.g., board minutes, compensation committee minutes gives me direct and specific personal knowledge of the facts set forth herein and I would testify competently to them if called upon to do so.
2. The Tiberon Compensation Committee members that considered Trevor Moss's possible bonus for his work in 2006 were Clifford Davis and Richard Lister. According

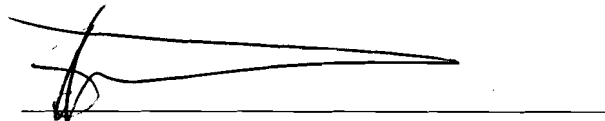
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to records of minutes, they met in Toronto, Canada on December 22, 2006 and again on February 15, 2007, to consider whether or not Mr. Moss was entitled to a bonus under his contract with Nui Phao Mining Joint Venture Company, Ltd. At the December meeting, Mario Caron was present as a guest. At the February meeting, Mario Caron, Sonya Stark and John Shrimpton were present as guests.

3. The Board of Directors of Tiberon that considered Mr. Moss's bonus situation after the Compensation Committee acted did not change in composition and personnel until after March, 2007. The Board that choose to accept the Compensation Committee's decision that Mr. Moss was not to receive a bonus for his 2006 work was the Board in place prior to completion of the change in ownership of Tiberon.
4. Ms. Stark is no longer with Tiberon but an internet search shows here to be Vice President and Corporate Secretary of Baffinland Iron Mines Corporation with an address in Toronto Canada (see, e.g., <http://www.zoominfo.com/search/PersonDetail.aspx?PersonID=1188686022>).
5. The historical books, records and files of Tiberon are currently located in Toronto, Canada. Current records of the Joint Venture are mostly in Viet Nam.
6. I believe that the deliberation reaching the decision that Mr. Moss was not entitled to any bonus was made in the ordinary course of business, from the documentation that I have seen and similar to the other bonuses paid at the time.

I declare and state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 12, 2007 at Hanoi, Vietnam.



Steven J. Cresswell